1632 #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Klein *et al.***

Group Art Unit: **1632**

Serial No.: **10/087,523**

Examiner: **Unassigned**

Filed: **February 28, 2002**

Attorney Docket: **MES-01-CON2**

For: **Methods Of Creating Constructs Useful For Introducing Sequences Into Embryonic Stem Cells**

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-referenced application, entry of the following amendment is respectfully requested.

In the Specification

Please replace the paragraph on page 6, lines 23-27 with the following paragraph:

--Figure 3A is schematic depicting the pDG4 vector. The vector contains an ampicillin resistance gene, a neomycin (Neo') gene and a green fluorescent protein (GFP) gene. On each side of the Neo' gene are two sites for ligation independent cloning along with restriction enzyme recognition sites. The sequence of pDG4 is shown in Figures 3B1-3B2 and SEQ ID NO:2.--

Remarks

By this amendment, the Figure numbers have been corrected to coincide with the substitute drawings submitted in response to the Notice to File Corrected Application Papers dated March 27, 2002. The foregoing amendment does not introduce new matter. Entry of the amendment is respectfully requested.

Enclosed herewith is a marked-up version of the changes made by this amendment. Favorable action on the merits is earnestly solicited.

Respectfully submitted,

Deltagen, Inc.

Date: May 28, 2002

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Version with markings to show changes made

Page 6, lines 23- 27 have been amended as follows:

--Figure 3A is schematic depicting the pDG4 vector. The vector contains an ampicillin resistance gene, a neomycin (Neo') gene and a green fluorescent protein (GFP) gene. On each side of the Neo' gene are two sites for ligation independent cloning along with restriction enzyme recognition sites. The sequence of pDG4 is shown in Figures 3B1-3B2 and SEQ ID NO:2.~~shown in Figure 3B and SEQ ID NO:2.~~

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8) Applicant(s): Klein et al.			Docket No. MES-01-CON2
Serial No. 10/087,523	Filing Date February 28, 2002	Examiner Unassigned	Group Art Unit 1632

Invention:

METHODS OF CREATING CONSTRUCTS USEFUL FOR INTRODUCING SEQUENCES INTO EMBRYONIC STEM CELLS

COPY OF PAPERS ORIGINALLY FILED

I hereby certify that this PRELIMINARY AMENDMENT
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on May 28, 2002
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Deborah A. Mojarro
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